

Article - Natural Resources

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§8-721.1.

(a) The owner or operator of a marina or the owner's or operator's agent may have a vessel removed from the marina by a private person if the vessel has remained on the marina premises without permission for more than 48 hours and the owner, operator, or agent has placed in conspicuous locations signs that:

(1) State that vessels left at the marina without permission for more than 48 hours are subject to removal at the vessel owner's expense;

(2) State the location to which the vessel will be removed;

(3) State that the vessel owner will be responsible for all costs associated with the removal and storage of the vessel; and

(4) Provide the telephone number of a person who can be contacted to arrange for the reclaiming of the vessel by its owner or the owner's agent.

(b) A vessel may not be removed from a marina to a location that is more than 30 miles from the marina.

(c) The owner or operator of a marina, or the agent of the owner or operator, on finding a vessel left at the marina without permission, shall make a reasonable attempt to notify the vessel owner or the vessel owner's agent of the intended removal of the vessel before the vessel may be removed under this section.

(d) A person who removes the vessel from a marina:

(1) Shall notify the vessel owner or the vessel owner's agent at the earliest possible time after removing the vessel from the marina, and shall provide the following information:

(i) A description of the vessel including the vessel's certificate of boat number;

(ii) The date and time the vessel was removed;

(iii) The reason the vessel was removed; and

(iv) The locations from which and to which the vessel was moved;

(2) Before removing the vessel, shall have authorization of the marina owner; and

(3) May not pay any remuneration to the owner of the marina.

(e) (1) The person who removes a vessel from a marina shall immediately deliver the vessel directly to a location customarily used by the person.

(2) The person who exercises control over the vessel at the location to which the vessel is delivered after removal from a marina shall provide the vessel owner or the vessel owner's agent immediate and continuous opportunity to retake possession of the vessel.

(f) Any person who removes a vessel from a marina in violation of any provision of this section:

(1) Shall be liable for actual damages sustained by the vessel owner or the vessel owner's agent as a result of the violation; and

(2) Shall be liable to the vessel owner or the vessel owner's agent for up to triple the amount paid by the owner or the owner's agent to retake possession of the vessel, as the court may determine.

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